

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

D-1, DANNY ESTEBAN

BERROCAL FUENTES,

Defendant.

Case: 2:19-cr-20351
Judge: Hood, Denise Page
MJ: Patti, Anthony P.
Filed: 05-30-2019
INDI USA VS FUENTES (DP)

VIOL: 18 U.S.C. § 2252A(g)
18 U.S.C. § 2251(a)
18 U.S.C. § 2251(e)
18 U.S.C. § 2422(b)
18 U.S.C. § 2252A(a)(2)
18 U.S.C. § 2252A(b)(1)
18 U.S.C. § 2253
18 U.S.C. § 2
18 U.S.C. § 2252A(a)(5)(B)
18 U.S.C. § 2252A(b)(2)

INDICTMENT

THE GRAND JURY CHARGES:

At all times in this Indictment:

1. Minor Victim 1 (hereinafter “MV-1”) was a resident of the Eastern District of Michigan and was a girl under the age of 18.

2. Minor Victim 2 (hereinafter “MV-2”) was a resident of Canada and was a girl under the age of 18.

3. Minor Victim 6 (hereinafter “MV-6”) was a resident of the Northern District of Oklahoma and was a girl under the age of 18.

4. During the time periods covered in this Indictment, starting as far back as January of 2012, defendant DANNY ESTEBAN BERROCAL FUENTES, along with CHRISTIAN MAIRE, ARTHUR SIMPATICO, JONATHAN NEGRONI RODRIGUEZ, MICHAL FIGURA, ODELL ORTEGA, BRETT JONATHAN SINTA, CALEB YOUNG, DANIEL WALTON, and WILLIAM T. PHILLIPS, worked together in a group, with others both known and unknown to the Grand Jury, to convince and attempt to convince minor victims, both known and unknown to the Grand Jury, to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2), on web camera and to record this sexually explicit conduct. Specifically, DANNY ESTEBAN BERROCAL FUENTES, and the others conspired together through chat discussions over the Internet to lure minor victims to one or more chatroom-based websites. Once the minor victims appeared in these chatroom-based websites, group members including DANNY ESTEBAN BERROCAL FUENTES, CHRISTIAN MAIRE, ARTHUR SIMPATICO, JONATHAN NEGRONI RODRIGUEZ, MICHAL FIGURA, ODELL ORTEGA, BRETT JONATHAN SINTA, CALEB YOUNG, DANIEL WALTON, and WILLIAM T. PHILLIPS, and others both known and unknown to the Grand Jury, enticed and attempted to entice the minor victims to engage in

sexual acts, and to lasciviously display their genitals and pubic area, on web camera.

5. During portions of the time period covered by the Indictment, including in late December of 2015, co-conspirator BRETT JONATHAN SINTA participated in the group activity described in paragraph 4 from one or more residences in the Eastern District of Michigan. During these time periods, SINTA worked with other group members, including FUENTES, to target MV-2 and MV-6.

COUNT ONE

(Child Exploitation Enterprise, 18 U.S.C. § 2252A(g))

D-1, DANNY ESTEBAN BERROCAL FUENTES,

Paragraphs 1-5 of this Indictment are hereby incorporated by reference.

Between the dates of January 1, 2012, and October 23, 2017, in the Eastern District of Michigan, and elsewhere, the defendant, DANNY ESTEBAN BERROCAL FUENTES, along with CHRISTIAN MAIRE, ARTHUR SIMPATICO, JONATHAN NEGRONI RODRIGUEZ, MICHAL FIGURA, ODELL ORTEGA, BRETT JONATHAN SINTA, CALEB YOUNG, DANIEL WALTON, and WILLIAM T. PHILLIPS (each charged elsewhere), and others both known and unknown to the Grand Jury, knowingly engaged in a child exploitation enterprise by violating Chapters 110 and 117 of Title 18 of the United States Code (specifically 18 U.S.C § 2251, 18 U.S.C § 2422(b), and 18 U.S.C. § 2252A), as a part of a series of felony violations constituting three or more separate incidents and involving more than one minor victim, including, but not limited to, offenses which are described in Counts TWO through TEN of this Indictment, and committed those offenses in concert with three or more other persons; all in violation of Title 18, United States Code, Section 2252A(g).

COUNT TWO

(Conspiracy to Produce Child Pornography, 18 U.S.C §§ 2251(a), 2251(e))
D-1, DANNY ESTEBAN BERROCAL FUENTES,

Between the dates of January 1, 2012 and October 23, 2017, in the Eastern District of Michigan, and elsewhere, the defendant, DANNY ESTEBAN BERROCAL FUENTES, along with CHRISTIAN MAIRE, ARTHUR SIMPATICO, JONATHAN NEGRONI RODRIGUEZ, MICHAL FIGURA, ODELL ORTEGA, BRETT JONATHAN SINTA, CALEB YOUNG, DANIEL WALTON, and WILLIAM T. PHILLIPS (each charged elsewhere), did combine, conspire, confederate, and agree with others both known and unknown to the Grand Jury, to knowingly employ, use, persuade, induce, entice, and coerce one or more minors to engage in sexually explicit conduct as defined in 18 U.S.C. § 2256(2), for the purpose of producing any visual depiction of such conduct and transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce; such visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; and such visual depiction was transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce; all in violation of Title 18, United States Code, Sections 2251(a), (e).

COUNT THREE

(Production of Child Pornography, 18 U.S.C. §§ 2, 2251(a))

D-1, DANNY ESTEBAN BERROCAL FUENTES

On or about June 28, 2015, through March of 2017, in the Eastern District of Michigan, and elsewhere, the defendant, DANNY ESTEBAN BERROCAL FUENTES, along with CHRISTIAN MAIRE, ARTHUR SIMPATICO, JONATHAN NEGRONI RODRIGUEZ, MICHAL FIGURA, ODELL ORTEGA, BRETT JONATHAN SINTA, CALEB YOUNG, DANIEL WALTON, and WILLIAM T. PHILLIPS (each charged elsewhere), and others both known and unknown to the Grand Jury, attempted to and did knowingly employ, use, persuade, induce, entice, and coerce a minor, to wit: MV-1, to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2), for the purpose of producing any visual depiction of such conduct and transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce; such visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; and such visual depiction was transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce; all in violation of Title 18, United States Code, Sections 2, 2251(a), (e).

COUNT FOUR

(Coercion and Enticement of a Minor 18 U.S.C. §§ 2, 2422(b)).

D-1, DANNY ESTEBAN BERROCAL FUENTES

On or about June 28, 2015, through March of 2017, in the Eastern District of Michigan and elsewhere, the defendant, DANNY ESTEBAN BERROCAL FUENTES, along with CHRISTIAN MAIRE, ARTHUR SIMPATICO, JONATHAN NEGRONI RODRIGUEZ, MICHAL FIGURA, ODELL ORTEGA, BRETT JONATHAN SINTA, CALEB YOUNG, DANIEL WALTON, and WILLIAM T. PHILLIPS (each charged elsewhere), and others both known and unknown to the Grand Jury, did knowingly use a facility and means of interstate and foreign commerce (to wit: the Internet) to persuade, induce, entice and coerce a person who had not attained the age of 18 years (to wit: MV-1) to engage in any sexual activity for which any person could be charged with a criminal offense, including but not limited to the production of child pornography as described in 18 U.S.C. § 2256(8), all in violation of Title 18, United States Code, Sections 2, 2422(b).

COUNT FIVE

(Production of Child Pornography, 18 U.S.C. §§ 2, 2251(a))

D-1, DANNY ESTEBAN BERROCAL FUENTES

On or about October 6, 2014, through October 23, 2017, in the Eastern District of Michigan, and elsewhere, the defendant, DANNY ESTEBAN BERROCAL FUENTES, along with CHRISTIAN MAIRE, ARTHUR SIMPATICO, JONATHAN NEGRONI RODRIGUEZ, MICHAL FIGURA, ODELL ORTEGA, BRETT JONATHAN SINTA, CALEB YOUNG, DANIEL WALTON, and WILLIAM T. PHILLIPS (each charged elsewhere), and others both known and unknown to the Grand Jury, attempted to and did knowingly employ, use, persuade, induce, entice, and coerce a minor, to wit: MV-2, to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2), for the purpose of producing any visual depiction of such conduct and transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce; such visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; and such visual depiction was transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce; all in violation of Title 18, United States Code, Sections 2, 2251(a), (e).

COUNT SIX

(Coercion and Enticement of a Minor 18 U.S.C. §§ 2, 2422(b)).

D-1, DANNY ESTEBAN BERROCAL FUENTES

On or about October 6, 2014, through October 23, 2017, in the Eastern District of Michigan and elsewhere, the defendant, DANNY ESTEBAN BERROCAL FUENTES, along with CHRISTIAN MAIRE, ARTHUR SIMPATICO, JONATHAN NEGRONI RODRIGUEZ, MICHAL FIGURA, ODELL ORTEGA, BRETT JONATHAN SINTA, CALEB YOUNG, DANIEL WALTON, and WILLIAM T. PHILLIPS (each charged elsewhere), and others both known and unknown to the Grand Jury, did knowingly use a facility and means of interstate and foreign commerce (to wit: the Internet) to persuade, induce, entice and coerce a person who had not attained the age of 18 years (to wit: MV-2) to engage in any sexual activity for which any person could be charged with a criminal offense, including but not limited to the production of child pornography as described in 18 U.S.C. § 2256(8), all in violation of Title 18, United States Code, Sections 2, 2422(b).

COUNT SEVEN

(Production of Child Pornography, 18 U.S.C. §§ 2, 2251(a))

D-1, DANNY ESTEBAN BERROCAL FUENTES

On or about December 13, 2014, through on or about March 31, 2016, in the Eastern District of Michigan, and elsewhere, the defendant, DANNY ESTEBAN BERROCAL FUENTES, along with CHRISTIAN MAIRE, ARTHUR SIMPATICO, JONATHAN NEGRONI RODRIGUEZ, MICHAL FIGURA, ODELL ORTEGA, BRETT JONATHAN SINTA, CALEB YOUNG, DANIEL WALTON, and WILLIAM T. PHILLIPS (each charged elsewhere), and others both known and unknown to the Grand Jury, attempted to and did knowingly employ, use, persuade, induce, entice, and coerce a minor, to wit: MV-6, to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2), for the purpose of producing any visual depiction of such conduct and transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce; such visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; and such visual depiction was transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce; all in violation of Title 18, United States Code, Sections 2, 2251(a), (e).

COUNT EIGHT

(Coercion and Enticement of a Minor 18 U.S.C. §§ 2, 2422(b)).

D-1, DANNY ESTEBAN BERROCAL FUENTES

On or about December 13, 2014, through on or about March 31, 2016, in the Eastern District of Michigan and elsewhere, the defendant, DANNY ESTEBAN BERROCAL FUENTES, along with CHRISTIAN MAIRE, ARTHUR SIMPATICO, JONATHAN NEGRONI RODRIGUEZ, MICHAL FIGURA, ODELL ORTEGA, BRETT JONATHAN SINTA, CALEB YOUNG, DANIEL WALTON, and WILLIAM T. PHILLIPS (each charged elsewhere), and others both known and unknown to the Grand Jury, did knowingly use a facility and means of interstate and foreign commerce (to wit: the Internet) to persuade, induce, entice and coerce a person who had not attained the age of 18 years (to wit: MV-6) to engage in any sexual activity for which any person could be charged with a criminal offense, including but not limited to the production of child pornography as described in 18 U.S.C. § 2256(8), all in violation of Title 18, United States Code, Sections 2, 2422(b).

COUNT NINE

(Conspiracy Receipt of Child Pornography, 18 U.S.C. §§ 2252A(a)(2),
2252A(b)(1))

D-1, DANNY ESTEBAN BERROCAL FUENTES

Between the dates of January 1, 2012, and October 23, 2017, in the Eastern District of Michigan, and elsewhere, the defendant, DANNY ESTEBAN BERROCAL FUENTES, along with CHRISTIAN MAIRE, ARTHUR SIMPATICO, JONATHAN NEGRONI RODRIGUEZ, MICHAL FIGURA, ODELL ORTEGA, BRETT JONATHAN SINTA, CALEB YOUNG, DANIEL WALTON, and WILLIAM T. PHILLIPS (each charged elsewhere), did combine, conspire, confederate, and agree with others both known and unknown to the Grand Jury, to knowingly receive child pornography, as defined in 18 U.S.C. § 2256(8)(A), that has been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, and that has been shipped and transported using any means or facility of interstate and foreign commerce; all in violation of Title 18, United States Code, Section 2252A(a)(2) & 2252A(b)(1).

COUNT TEN

(Conspiracy Access with Intent to View Child Pornography 18 U.S.C. §§
2252A(a)(5)(B), 2252A(b)(2))

D-1, DANNY ESTEBAN BERROCAL FUENTES

Between the dates of January 1, 2012, and October 23, 2017, within the Eastern District of Michigan, and elsewhere, the defendant, DANNY ESTEBAN BERROCAL FUENTES, along with CHRISTIAN MAIRE, ARTHUR SIMPATICO, JONATHAN NEGRONI RODRIGUEZ, MICHAL FIGURA, ODELL ORTEGA, BRETT JONATHAN SINTA, CALEB YOUNG, DANIEL WALTON, and WILLIAM T. PHILLIPS (each charged elsewhere), did combine, conspire, confederate, and agree with others known and unknown to the Grand Jury, to knowingly access with intent to view material which contained one or more images of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), and which had been shipped and transported using any means and facility of interstate and foreign commerce, had been shipped and transported in and affecting interstate and foreign commerce, and were produced using materials that have been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, all in violation of Title 18, United States Code, Section 2252A(a)(5)(B) & 2252(A)(b)(2).

FORFEITURE ALLEGATION

1. The allegations of this Indictment are re-alleged as if fully set forth here, for the purpose of alleging forfeiture, pursuant to Title 18, United States Code, Section 2253 and Title 18, United States Code, Section 2428.

2. If convicted of an offense charged and set forth above, DANNY ESTEBAN BERROCAL FUENTES shall forfeit to the United States any and all materials and property used and intended to be used in the distribution, possession, and transportation of visual depictions of minors engaging in sexually explicit conduct, and any and all property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense.

THIS IS A TRUE BILL.

s/ Grand Jury Foreperson

Grand Jury Foreperson

MATTHEW SCHNEIDER
United States Attorney

s/ Matthew Roth

MATTHEW A. ROTH
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Dated: May 30, 2019

s/ Kevin M. Mulcahy

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ORIGINAL

United States District Court Eastern District of Michigan	Criminal Case Cover Sheet	Case Number
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Companion Case Information	Companion Case Number: 18-20128
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned: Murphy
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	AUSA's Initials: <i>AR</i>

Case Title: USA v. Danny Esteban Berrocal FuentesCounty where offense occurred : Oakland and LivingstonCheck One: ☒ Felony ☐ Misdemeanor ☐ Petty☐ Indictment/ ☐ Information --- no prior complaint.☒ Indictment/ ☐ Information --- based upon prior complaint [Case number: 18-20633]☐ Indictment/ ☐ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].**Superseding Case Information**

Superseding to Case No: _____ Judge: _____

- ☐ Corrects errors; no additional charges or defendants.
☐ Involves, for plea purposes, different charges or adds counts.
☐ Embraces same subject matter but adds the additional defendants or charges below:

Defendant nameChargesPrior Complaint (if applicable)

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

May 30, 2019

Date

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 April N. Russo
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¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.